



Dear Members,

We held our Annual General Meetings during the 3rd week of March of 2014. It was a pleasure to see many of you in Nanaimo, Victoria and Vancouver, and we extend thanks to all our Members who attended. Membership attendance and participation is vital for the good of our Union and we welcome any suggestions to increase turnout at these meetings.

A newsletter has been past overdue, as many of you are aware we have been extremely busy facing different challenges and changes within our Branch.



One of the changes announced on August 22nd 2013 was the appointment of Capt. Mike Armstrong (on the left he is given oath by National President Capt. Mark Boucher) to the position of President of the Western Branch until the next elections in September 2014.

FINANCIAL OVERVIEW

The 2013 audited Financial Statements for the Western Branch were presented in detail at the AGMs. The audit indicates that the Branch is in a healthy financial position.

BUILDING

An update has been sent to all members to explain the decision of the WB Executive Board regarding the sale of the Guild Building in Coquitlam. The package contained a referendum vote to determine whether or not Branch Members support the Board's decision. The results of this referendum reflect Membership supporting the Executive Board decision to sell the building. The results are posted on the Guild website.

GUILD STAFFING

We are pleased to report that Edd Langelier's health continues to improve and he has started a gradual return to work as of March 1, 2014. We wish Edd a complete and quick recovery.

During Edd's absence, the Western Branch has been privileged to have the assistance of WB-Trustee Rick McGarvie and the Guild National Officers in dealings with GSO matters and of Capt. Mike van der Gracht who has been working on this round of bargaining with Smit H. T. Vancouver (Tiger).

The services provided by Rick and Mike have been essential and very much appreciated by the Guild.



The CMSG WB welcomed our newest Business Agent Jeff Sanders on January 2, 2014. Jeff brings considerable legal experience in labour relations to the Guild and is the chairman of the Seaspn ULC Negotiating Committee.

NEGOTIATIONS, GRIEVANCES, WCB , ETC.

Collective Agreements

A number of other collective agreements will be expiring in the near future. These include ...

- °Harbour Cruises Ltd. (December 31, 2014)
- °International Forest Products Ltd. (September 30, 2014)
- °Island Tug & Barge Ltd. (September 30, 2014)
- °Northern Transportation Co. Ltd. (December 31, 2014)
- °Sea-Link Marine Services Ltd. (September 30, 2014)

The Guild will be contacting Members working under these contracts to begin the process of preparation for collective bargaining, closer to the time that notice to bargain is sent to the employer.

DH Timber

The Collective Agreement expired September 30, 2013 and the Company is considering rolling over the collective agreement for up to 3 years, and negotiating only wages with no concessions. It was previously agreed that the only changes should be to develop and incorporate language into the Collective Agreement to address the calling procedures while in the red and how it relates to scheduling, previously addressed internally to deal with the issue.

FRPD

Robert Samson has been working with FRPD to ensure that the Panamanian-registered dredge FRPD 309 is able to sail in full compliance with ILO and IMO conventions while operated by Guild Members under a CMSG collective agreement.

Government Ship Officers

The GSO contract expired at the end of March. The Western Branch Executive Board has approved the participation of a number of West Coast representatives on the negotiating committee once collective bargaining commences.

Proposals for improvements in the GSO contract submitted by Guild members, working under the agreement, were reviewed a few weeks ago by representatives of the Western Branch at the GSO Advisory Committee meeting in Montreal.

As soon as a proposal package has been exchanged with the employer, the proposals of the Guild and the Employer will be posted on the Guild website.

Seaspn ULC

The Guild Negotiating Committee has made some progress in their negotiations with Seaspn Marine Corporation; however, significant concessions proposed by the Employer have slowed down bargaining considerably. At present there are no dates scheduled for further bargaining. The Guild Negotiating Committee has held meetings to discuss a strategy for the road ahead as Guild Members continue to be kept abreast of developments.

The Company's proposed amendments to the contract, as well as the Guild's, are posted on the Guild website.

The Branch has recently filed a complaint to the Canada Industrial Relations Board regarding unfair labour practice for the treatment of Guild members employed at Seaspn and a Common Employer application. The Guild's legal representative, Mr. Gary Caroline of Caroline & Gislason LLP, attended the Vancouver General Meeting to address the Membership and

answer questions regarding the applications filed with the Labour Board in regards to the sale/transfer of vessels from Seaspan ULC to Seaspan Ferries. A copy of the application is available on the Guild website.

A Memorandum was distributed by the Company on April 16, 2014 regarding "Improvement of Seaspan Marine's Fleet Productivity" which has resulted in the layoff of 19 Officers (11 Engineers, 5 Master and 3 Mates) so far. The Guild is currently unclear how long the Company intends to follow this new operational model. The Guild certainly has its doubts that this new model is economically feasible for Seaspan ULC in the long run and it remains possible that the constant operational changes are being made in order to provoke the Guild Negotiating Committee into returning to the bargaining table with a mandate to accept the Company's proposal, or even perhaps to provoke the Guild into a strike. The Company has stated that their strategy has nothing to do with the ongoing negotiations and the proof of all this will be whether or not the Company is able to effectively and efficiently operate. At this time, the membership has not shown an overwhelming desire to strike, so the best that the membership can do is to be patient and see where Seaspan is going with their new operating model. It may all turn out to be a bluff.

On the picture
Jeff Sanders "driving"
a Seaspan vessel.



Meanwhile, Seaspan has currently been using charter tugs to perform the work that was recently performed by Seaspan vessels. The Company has been reminded of their obligation under the collective agreement to provide this work only to other Guild companies. It is understood that the only exceptions to this would be in the event of Guild tugs not being available when required to do the job and US Flag tugs. The Guild will be closely monitoring these other companies to make sure that no rules are bent in order to complete the work which Seaspan stubbornly refuses to do themselves. The Guild believes that Seaspan's choice to charter out the majority of their work and run a number of their vessels as call out boats in Vancouver Harbour and the Fraser River may lead to an increased chance of a marine incident, so we urge our members to exercise extreme caution in the days and weeks ahead.

Capt. Mike Armstrong has been in contact with the Minister of Labour Kelly Leitch and the President of the Chamber of Shipping to reaffirm that we are not involved in any labour action, and to confirm that it is our desire to continue negotiations until an agreement is reached. The Guild reminds our members to follow the contract, observe the hours of rest and keep safety as a paramount concern.

Seaspan Ferries

The Guild Negotiating Committee will soon be reviewing the proposals submitted by members working under the agreement.

Seaspan Ferries

Different points of view have resulted from the Common Employer application by the Guild in regards to the transfer of vessels from Seaspan ULC to Seaspan Ferries; Lawyer Gary Caroline attended a meeting to address concerns from our Members at Seaspan Ferries, we confirm that we are fighting for the rights of Guild Members who were unfairly treated by the Company and in the process the rights of Members at Seaspan Ferries will be respected in any negotiation that may or may not come.

SMIT Harbour Towage Vancouver

While recent collective bargaining did result in a tentative agreement that included a number of improvements, the proposed settlement was rejected in a membership vote and the committee chairman, Capt. Mike van der Gracht has been working to identify how any shortcomings can be addressed and the way-ahead on this matter. We have received notice that Conciliation proceedings will take place at the beginning of May 2014.

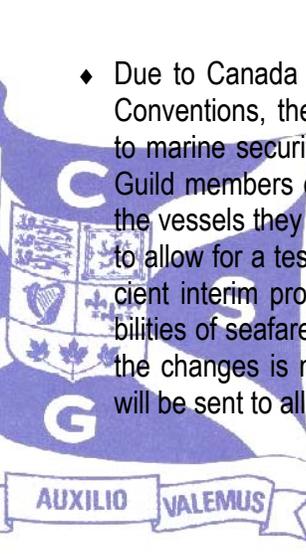
SMIT Harbour Towage Westminster

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- ◆ The Guild was recently successful in arbitration where overtime pay was ordered for a Member working a 40-hour work week on a day-boat system. The employer did not provide the minimum 48-hours of notice for changing hours-of-work as specified in the contract. The employer appealed the Guild's arbitration win but the Federal Court upheld the Guild win and dismissed the employer's appeal. That successful grievance arbitration sets an important precedent for Western Branch Members working in Nanooose and Victoria. The grievor's name was Josh Horner and the arbitrator's decision is posted on the Guild website.



- ◆ Due to Canada ratifying recent International Maritime Conventions, there may be changes coming up soon to marine security regulations that could impact some Guild members depending on the type of operation of the vessels they work aboard. The Guild is advocating to allow for a testimonial of recent sea-time to be sufficient interim proof of awareness of security responsibilities of seafarers. Once an official announcement of the changes is made by Transport Canada, a bulletin will be sent to all Guild Members.

- ◆ The Guild recently provided a detailed submission to Canada's Oil Tanker Safety Review Panel. That submission, as well as the acknowledgement from Panel Chairman Capt. Gordon Houston, is available on the Guild website.

WorkSafe

We remind our members that it is always necessary to report any incidents or work-related injuries to WorkSafe BC, even if there are no serious repercussions noticed immediately. Many WCB claims are lost because the worker does not think much of a slight pain at first. The most prudent thing to do is always to report first before a small pain becomes a huge financial burden. If you need any assistance in this regard please contact us and we will gladly assist you.



LEGAL DEFENCE (Marine Officers Protective Services - MOPS)

The Guild's Legal Defence Plan continues to be a very important protection mechanism for Guild Members. There have been numerous MOPS cases reported across the Western Branch in the past few months. We are currently providing legal defence to several Members who have had the misfortune of being involved in serious marine incidents. Representation is also being provided to a number of other members involved in more minor incidents. The MOPS plan is working well and is financially robust.

HEALTH & BENEFIT PLAN

We appreciate and thank Mr. Jerry Wernicke for serving the Membership as a Trustee for the Benefit Plan and wish him a happy retirement.

Upon Jerry's retirement members elected by acclamation Capt. Victor McClelland as a new Trustee of the Benefit Plan. Victor has previously served as a Pension Plan Trustee and the Guild looks forward to his participation.

Benefit coverage for working Members beyond age 62 - Members brought up their concerns that benefits do not continue beyond this age. At a recent meeting the Trustees had a discussion and considered changes to this effect: as long as a Member is in good standing and working in the marine industry for a participating Employer, entitlement for weekly indemnity (beyond 62) and life insurance (beyond 65) benefit coverage will carry on until the date of retirement. Dental and EHB coverage also continues beyond age 65.

At this moment the plan is not healthy enough to change coverage for LTD benefit beyond age 62; if a Member after age 62 goes on WI and consequently need LTD coverage, there will be no choice but to opt for retirement.



TOWBOAT PENSION PLAN INFORMATION

Disabled Members - Members of the Pension Plan who are disabled and entitled to receive pension contributions are required to keep Guild Membership active and in good standing. Guild Dues are to be paid on a monthly basis at a reduced rate. There is no employee or employer contributions during the period a Member is disabled; at the end of the year, if entitled, your account will be credited with contributions from the disability credit account. Disabled Members who are receiving benefits are not eligible to apply for financial hardship and therefore are not entitled to transfer account balance out of the plan.

Marriage Breakdown - Former spouse is entitled to 50% of pension benefits accumulated during the duration of a marriage or common-law relationship (of at least 2 years). If you are facing marriage breakdown you need to contact SunLife and request and complete the prescribed forms to obtain a calculation of pension entitlement. An administrative fee must be paid to obtain the calculation (currently \$175, each spouse will be responsible for 50% of the fee).

Termination of Employment with a Participating Employer - If you are terminated from employment with a participating Employer there is an 18 month waiting period required in order to request/obtain transfer of funds out of the Towboat Pension Plan. Members over age 50 are eligible to waive the waiting period; however, you must contact the Guild and complete a termination form confirming loss of Seniority immediately in effect as of date of termination.

Voluntary Contributions - are only permitted to active members of the Towboat Pension Plan working for participating Employers.

Retirement Protocol - Normal retirement age is 60, early retirement is permitted after attaining age 50, and once you decide to retire you must inform your Employer and the Guild, you also need to contact SunLife and complete an application for retirement. There is no waiting period for those eligible for retirement. It doesn't make any financial sense to work beyond age 71 because legislation requires you to start withdrawing funds for the Pension Plan upon reaching age 71.



The Guild's National Convention is coming up in May in Ottawa. The Convention will determine the way ahead for the organization for the next 3 years. The Branch has selected its Delegates in accordance with the By-laws and arrangements and planning for the Convention are well underway. Resolutions adopted at the Convention will be posted on the Guild website.

SEPTEMBER 2014 ELECTIONS:

The following positions within the Executive Board are up for election in September 2014:

- | | | |
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| * Western Branch President | | * Representative of Officers serving in Harbours & Rivers |
| * V.P. Towboat Deck Officers | | * Representative - Towboat Deck Officers |
| * V.P. Towboat Engineer Officers | | * Representative - Towboat Engineer Officers |
| * V.P. GSO Deck Officers | | * Representative - GSO Deck Officers |
| * V.P. Pilots | | * Representative - Employee Pilots |
| * Representative of Officers serving on Ships
Primarily engaged in Passenger & Freight Operations | | * Representative - Self-Employed Pilots |

We encourage all our Members to contact our Branch and provide us with change of address or contact information as well as to remain engaged and participate.

A Thank You Note:

The Western Branch President Capt. Mike Armstrong and Secretary-Treasurer Zulema Carranza Sanabria take this opportunity to recognize and thank members of the Executive Board and Negotiating Committee members for their assistance with a number of challenging developments over the past several months, your assistance and dedication is very much appreciated.

Day of Mourning (4/28/2014):

The Guild recognizes the National Day of Mourning; remember and honour our fellow Guild Members who were killed, injured or disabled at the workplace. Their loss is felt by everyone. We invite you take a moment to honour their memory.



***Something to ponder:** “To prosper in today’s global economy we need safe, secure, environmentally responsible and efficient transportation networks that support trade and economic growth, create jobs and help build future prosperity” The Hon. Lisa Raitt, Minister of Transport.*

